

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 6, 2010

Court Holiday

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 7, 2010

- D057193 People v. Meeks et al.**
The judgments are affirmed. McConnell, P.J.; We Concur: McIntyre, J., Irion, J.
- D056654 People v. Cano**
The judgment is affirmed.
O'Rourke, J.; We Concur: McDonald, Acting P.J., Irion, J.
- D057802 In re Murphy on Habeas Corpus**
The petition is denied.
- D057983 Loera v. Superior Court of San Diego County/Ron Baker Chevrolet et al.**
The petition is denied.
- D057846 Brandon D. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
The attorney for petitioner Brandon D. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 will not be filed as there are no viable issues for writ review. Counsel's request, on petitioner's behalf, for an extension of time to file a petition is denied. The case is dismissed.
- D057893 Stephanie B. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
The attorney for petitioner Stephanie B. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 will not be filed as there are no viable issues for writ review. Counsel's request, on petitioner's behalf, for an extension of time to file a petition is denied. The case is dismissed.
- D057888 Erick O. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
The attorneys for petitioners Erick O. and Jennifer S. have notified the court that petitions for writs of mandate under California Rules of Court, rule 8.452 will not be filed as there are no viable issues for writ review. The attorneys' requests, on behalf of petitioners, for extensions of time to file petitions are denied. The case is dismissed.
- D055549 Sandell v. Taylor-Listug, Inc.**
The judgment of the trial court is reversed. The case is remanded for further proceedings. Appellant is awarded costs on appeal. CERTIFIED FOR PUBLICATION. Aaron, J.; We Concur: McDonald, Acting P.J., McIntyre, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 7, 2010 (Continued)

- D057379 In re Francisco C. et al., Juveniles**
The appeal is dismissed. Irion, J.; We Concur: McConnell, P.J., Haller, J.
- D057990 Walden v. Superior Court of San Diego County**
The petition is denied.
- D056553 In re R.C., a Juvenile**
The true finding is affirmed. The case is remanded to the juvenile court with directions to declare expressly whether the offense is a felony or a misdemeanor. O'Rourke, J.; We Concur: McDonald, Acting P.J., Aaron, J.
- D057051 In re O.P., a Juvenile**
The appeal is dismissed. O'Rourke, Acting P.J.; We Concur: Aaron, J., Irion, J.
- D057292 In re Ricardo L., a Juvenile**
Dismissed. Benke, J.; We Concur: McConnell, P.J., Aaron, J.
- D058001 In re Leroy Willis on Habeas Corpus**
The petition for writ of habeas corpus has been read and considered by Justices Huffman, Nares and Aaron. The petition is denied as premature.
- The clerk is directed to send a copy of the order and petition to all counsel of record on appeal.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 8, 2010

- D058004 In re A.A., a Juvenile**
This case has been reviewed by Associate Justices McDonald, O'Rourke and Irion. The notice of appeal is untimely. The appeal is dismissed.
- D058055 In re S.A. et al., Juveniles**
The notice of appeal filed August 24, 2010, referring to a hearing on July 8, 2010, has been read and considered by Associate Justices McDonald, O'Rourke, and Irion. P.A. is not aggrieved by the order made on July 8, 2010. The appeal is hereby dismissed.
- D057087 In re N.V. et al., Juveniles**
The judgment is affirmed. O'Rourke, J.; We Concur: Haller, J., McDonald, J.
- D056114 People v. Moore**
The judgment is affirmed. McConnell, P.J.; We Concur: McDonald, J., Irion, J.
- D057194 People v. Muhummed**
Muhummed's conviction on count 16 of felony false imprisonment of Abdullah is reversed. In all other respects, the judgment is affirmed.
McDonald, J.; We Concur: Nares, Acting P.J., O'Rourke, J.
- D057979 Seymour v. Superior Court of San Diego County/Machhour**
The petition is denied.
- D058059 Smith v. Superior Court of San Diego County/People**
The petition is denied.
- D057770 Jernigan v. Superior Court of San Diego County/People**
Petitioner's request to strike real party's "Statement of Facts" is denied. The petition is denied. The motion to unseal exhibit F is denied. The stay issued July 27, 2010, is vacated.

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September 9, 2010

- D056751 In re T.L. et al., Juveniles**
The judgment is affirmed. Haller, J.; We Concur: Benke, Acting P.J., Irion, J.
- D055917 Mells v. Mells**
The order as to father's child support arrearages is affirmed. The order awarding attorney fees and costs is reversed and the matter remanded for the trial court to reconsider mother's request for attorney fees, special master fees and costs and in doing so, consider the parties' respective incomes, assets and abilities, including investment and income-producing properties. Mother shall recover costs on appeal. O'Rourke, J.; We Concur: McConnell, P.J., Aaron, J.
- D055635 In re Marriage of Ramirez**
Francisco's appeal is dismissed as untimely. Alma to recover her costs of appeal. Benke, Acting P.J.; We Concur: Huffman, J., O'Rourke, J.
- D055989 Thorp v. City of San Diego**
The appeal is dismissed. We find Thorp's appeal to be frivolous and assess sanctions against her as follows: (1) \$7,600, due and payable to the City of San Diego within 30 days of the issuance of the remittitur in this matter; and (2) \$3,000 for the cost to the taxpayers of processing this frivolous appeal, which sum shall be due and payable to the clerk of this court also within 30 days of the issuance of the remittitur. In addition to the award of sanctions, City is entitled to its costs on appeal. O'Rourke, J.; We Concur: Nares, Acting P.J., Haller, J.
- D057910 Garland v. Superior Court of San Bernardino County/People**
The petition is denied.
- D057670 In re Brittany W., a Juvenile**
The appeal is dismissed. Aaron, J.; We Concur: Benke, Acting P.J., McDonald, J.
- D057479 Kraus et al. v. Hartford Fire Insurance Company**
Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.244(c)(2).)
- D054408 People v. Russell, Jr.**
The petition for rehearing is denied.
Justices Huffman and O'Rourke concur in the denial; Justice McIntyre would grant.
- D057376 In re Christina T., a Juvenile**
The petition is denied. McConnell, P.J.; We Concur: Huffman, J., McDonald, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 10, 2010

D055893 People v. Ige

The judgment is affirmed. Huffman, J.; We Concur: McConnell, P.J., Irion, J.

D057726 Lau v. Internal Revenue Service

On September 18, 2010, this court requested a letter brief from appellant explaining why his appeal should not be dismissed as premature because no dismissal order has been entered in the case. Appellant has not responded. The matter having been considered by Presiding Justice McConnell and Associate Justices Aaron and Irion, the appeal is dismissed on the ground that it is premature.

D057942 C.C. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner C.C. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 will not be filed as there are no viable issues for writ review. Counsel's request, on petitioner's behalf, for an extension of time to file a petition is denied. The case is dismissed.

D057845 Jose D. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioners Jose D. and S.B. have notified the court that petitions for writs of mandate under California Rules of Court, rule 8.452 will not be filed as there are no viable issues for writ review. The attorneys' requests, on behalf of petitioners, for extensions of time to file a petition are denied. The case is dismissed.

D057873 Jamie D. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Jamie D. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 will not be filed as there are no viable issues for writ review. Counsel's request, on petitioner's behalf, for an extension of time to file a petition is denied. The case is dismissed.